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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,879	01/14/2002	Robert H. Fagan	20846-176942	6278

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EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/043,879	FAGAN ET AL.	
	Examiner	Art Unit	
	Beemnet W. Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 April 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/7/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on September 20, 2006. Claim 1 has been amended. Claims 1 and 3-16 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 3-9 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's arguments with respect to claims 10-16 have been fully considered but they are not persuasive. Applicant argues that Lockhart fails to teach after authentication, receiving a selection from said customer at said first web site. Applicant further argued that Lockhart fails to teach a permanent customer pseudonym that uniquely identifies a customer and is devoid of intelligent information of said customer. Applicant also argued that Lockhart fails to teach after generating said authentication message, transferring said authentication message from said first web site to said second website for authentication of said customer. Examiner disagrees.

Examiner would point out that In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **after authentication**, receiving ... and **after generating** said authentication ...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner would also point out that Lockhart teaches generating an authentication message for said customer at said first web site, said authentication message devoid of intelligent information of said customer and comprising a permanent customer pseudonym that uniquely identifies said customer and is devoid of intelligent information of said customer (i.e., name assertion reference) [page 14,

steps 4-6 and pages 15-17, Anonymity section]. Examiner asserts the art on record teaches the claim limitations and therefore the rejection is respectfully maintained.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 9 and 15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

6. Claims 9 and 15 are directed to a method of secure mutual authentication system. The examiner respectfully asserts that the claimed subject matter does not fall within the statutory classes listed in 35 USC 101. Claims 9 and 15 are directed to a computer readable media that includes data signals (see specification page 4, paragraph 0014). A signal does not fall within one of the four statutory classes of 101. Claims 9 and 15 are rejected as being directed to data signal.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 10 and 13-16 rejected under 35 U.S.C. 102(a) as being anticipated by Hal Lockhart, "OASIS Security Services Technical COMMITTEE" May 28, 2001 (hereinafter Lockhart).

9. As per claims10 and 14-16, Lockhart teaches a method for secure mutual authentication comprising the steps of:

authenticating a customer at a first web site (i.e., source Web site) [page 14 , step 3];

receiving a selection from said customer at said first web site requiring transfer to a second web site (i.e., destination web site), wherein said first web site is independent of said second web site [page 4, steps 4 and 5];

generating an authentication message for said customer at said first web site, said authentication message devoid of intelligent information of said customer and comprising a permanent customer pseudonym that uniquely identifies said customer and is devoid of intelligent information of said customer (i.e., name assertion reference) [page 14, steps 4-6 and pages 15-17, Anonymity section]; and

transferring said authentication message from said first web site to said second web site for authentication of said customer by said second web site [page 14, sections steps 5-8 and page 18, steps 1-5].

10. As per claim 13, Lockhart further teaches the method further comprising the step of generating said authentication message for said customer at said first web site [page 14, steps 4-6 and pages 15-17, Anonymity section].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1, 3 and 7-9 rejected under 35 U.S.C. 102(a) as being unpatentable over Hal Lockhart, "OASIS Security Services Technical COMMITTEE" May 28, 2001 (hereinafter Lockhart) in view of Lefler et al. WO-01/88733 A1 (hereinafter Lefler).

13. As per claims 1 and 8-9, Lockhart teaches a method for secure mutual authentication comprising the steps of:

generating an authentication message for a customer at a first web site, said authentication message devoid of intelligent information of said customer and comprising a permanent customer pseudonym that uniquely identifies said customer and is devoid of intelligent information of said customer (i.e., name assertion reference) [page 14, steps 4-6 and pages 15-17, Anonymity section]; and

Lockhart further teaches authenticating a customer at a first web site (i.e., source Web site) [page 14 , step 3]; receiving a selection from said customer at said first web site requiring transfer to a second web site (i.e., destination web site), wherein said first web site is independent of said second web site [page 4, steps 4 and 5] and transferring said authentication message from said first web site to said second web site for authentication of said customer by said second web site [page 14, sections steps 5-8 and page 18, steps 1-5].

Lockhart is silent on **after authenticating** receiving a selection, **after receiving** the selection generating an authentication message and **after generating** the authentication message transferring the message in the order claimed by claim 1. However within the same field of endeavor, Lefler teaches a single sign on system, comprising the steps of authenticating a customer at a first website (i.e., signing onto the system) [page 16, 26-28]; after authentication

receiving a selection from said customer at said first web site requiring transfer to a second web site, wherein said first web site is independent of said second web site (i.e., clicking on the 'US Economic Overview' article which is located on a different web site) [page 17, lines 4-16]; after receiving the selection, generating an authentication message of said customer at said first website; after generating said authentication message transferring said authentication message from said first web site for authentication of said customer by said second web site [page 17, lines 11-18]. The cited portions of Lockhart and Lefler are directed to a single sign on system. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Lefler within the system of Lockhart in order to allow an efficient and secure single sign on system.

14. As per claim 3 Lockhart further teaches the method wherein the step of generating authentication message further comprises randomly generating said customer pseudonym (i.e., see for example, generating SAML assertions during a request, page 20,)

15. As per claim 7, Lockhart further teaches the method further comprising the steps of authenticating said customer at said web site using said authentication message generated by said first web site [page 14, sections steps 5-8 and page 18, steps 1-5].

16. Claim 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hal Lockhart, "OASIS Security Services Technical COMMITTEE" May 28, 2001 (hereinafter Lockhart) in view of Lefler et al. WO-01/88733 A1 (hereinafter Lefler) and further in view of Le Berre EP 0 940 960 A1.

17. As per claims 4-6, Lockhart teaches the method as applied above. Lockhart further teaches generating an authentication message for said customer at said first web site, said authentication message devoid of intelligent information of said customer and comprising a permanent customer pseudonym that uniquely identifies said customer and is devoid of intelligent information of said customer [page 14, steps 4-6 and pages 15-17, Anonymity section]. Lockhart is silent on incorporating a date/time stamp, a partner name and an optional URL with a return address for said web site into said authentication message. However, Within the same field of endeavor Le Berre teaches a single sign on system comprising: the step of generating an authentication message comprises incorporating a source identifier, a date/time stamp, an optional return URL, a customer pseudonym, a cryptographic key, a transaction identification and authenticated data for the first web site into said authentication message [column 6, lines 41-55 and figure 5] and further comprising the step of authenticating said customer at said second web site occurs when said customer has previously visited said second web site, and further comprising the step of prompting said customer to log in to said second web site when said customer has not previously visited said second web site [column 9, lines 1-19]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Le Berre within the system of Lockhart and Lefler in order to enhance the security of the system.

18. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hal Lockhart, "OASIS Security Services Technical COMMITTEE" May 28, 2001 (hereinafter Lockhart) in view of Le Berre EP 0 940 960 A1.

19. As per claims 11-12, Lockhart teaches the method as applied above. Lockhart further teaches generating an authentication message for said customer at said first web site, said authentication message devoid of intelligent information of said customer and comprising a permanent customer pseudonym that uniquely identifies said customer and is devoid of intelligent information of said customer [page 14, steps 4-6 and pages 15-17, Anonymity section]. Lockhart is silent on incorporating a date/time stamp, a partner name and an optional URL with a return address for said web site into said authentication message. However, Within the same field of endeavor Le Berre teaches a single sign on system comprising: the step of generating an authentication message comprises incorporating a source identifier, a date/time stamp, an optional return URL, a customer pseudonym, a cryptographic key, a transaction identification and authenticated data for the first web site into said authentication message [column 6, lines 41-55 and figure 5] and further comprising the step of authenticating said customer at said second web site occurs when said customer has previously visited said second web site, and further comprising the step of prompting said customer to log in to said second web site when said customer has not previously visited said second web site [column 9, lines 1-19]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Le Berre within the system of Lockhart in order to enhance the security of the system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet Dada

December 11, 2006

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SUPERVISORY PATENT EXAMINER
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